

**REMARKS**

The present communication is responsive to the Official action mailed June 4, 2010. In the Office Action mailed June 4, 2010, the Examiner objected to the declaration. Specifically, the Examiner alleges that the declaration recites an error that cannot support a reissue application. The error described in the declaration is that independent claim 1 of the issued patent (U.S. Patent No. 5,291,062) was narrower than the inventors had a right to claim.

The Examiner contends that this reissue application is filed outside the two year statutory period. In this regard, the Examiner contends that the reissued application claims priority of reissue application 09/427,123 filed on October 10, 1999, which is more than two years from the issue date of U.S. Patent No. 5,291,062 (March 1, 1994). The Examiner has misidentified the parent of the present reissue application. This application for reissue is U.S. Serial No. 09/427,123, which is a continuation of U.S. Serial No. 08/610,127, filed on February 29, 1996 (which is within the two year statutory window from March 1, 1994). This claim of priority was asserted when the present reissue application was filed on October 29, 1999. The parent (U.S. Serial No. 08/610,127) reissued as Re 36,613 on March 14, 2000.

To clarify, the applicants have amended the specification to recite the correct claim of priority. However, as noted above, the correct claim of priority for this application was set forth in the preliminary amendment for this application filed on October 21, 1999. Based upon the foregoing, the applicant submits that the basis for the Examiner's objection to the reissue declaration is incorrect. The Examiner is respectfully requested to withdraw the

rejection of claims 1, 2 and 13-35, and allow these claims to proceed to allowance.

As it is believed that all of the objections, rejections, and restrictions set forth in the Official Action have been fully met by the foregoing amendments and remarks, favorable reconsideration and allowance of all pending claims are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: October 1, 2010

Respectfully submitted,  
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